

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 06-1431

VIVIAN R. CLARKE,
Appellant

v.

MARK EISENHOWER; P & A ENGINEERING, and
All Properties, Affiliates, Subsidiaries,
Corporations, Subcorporations and Assets;
JUDY KITCHEN; ARTHUR C. ADAMS; BILLY BALBERSON

On Appeal From the United States District Court
For the District of Delaware
(D.C. No. 05-647)
District Judge: Honorable Sue L. Robinson

Submitted Under Third Circuit LAR 34.1(a)
September 11, 2006

Before: BARRY, CHAGARES AND COWEN, CIRCUIT JUDGES

(Filed: September 29, 2006)

JUDGMENT

This cause came on to be heard on the record from the United States
District Court for the District of Delaware and was submitted pursuant to Third Circuit
LAR 34.1(a). On consideration whereof, it is now here

ORDERED AND ADJUDGED by this Court that the judgment of the District

Court entered on December 15, 2005, be and the same is hereby affirmed. Costs taxed against the Appellant. All of the above in accordance with the opinion of this Court.

ATTEST:

/s/ Marcia M. Waldron, Clerk

DATED: September 29, 2006

**Certified as a true copy and issued in lieu
of a formal mandate on October 24, 2006.**

Teste: *Marcia M. Waldron*

Clerk, United States Court of Appeals for the Third Circuit.